IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21522 of 2004

Between:

G. Hanumanthu, S/o Sammaiah,
H.No. 2-10-1253, Jyothi Nagar, Karimnagar - 505 002.

..... PETITIONER

AND

1 The Depot Manager, APSRTC, Godavarikhani Depot,
Karimnagar District.
2 The Assistant Manager (T) (Enquiries), APSRTC R.M's Office, Karimnagar.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order, direction or writ, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents for not supplying the relevant documents for reference of the petitioner for submission of his detailed explanation to the charge sheet dated 1-9-2004 and thus depriving the petitioner the right of his defence through the detailed explanation through letters dated 26-10-2004 and 9-11-2004 issued by the 1st respondent as illegal, arbitrary, and unjust and consequently direct the respondents to supply the documents requested by the petitioner through his representation dated 9-10-2004 and reminder dated 8-11-2004 in terms of the principles of natural justice and to pass such other orders.

Counsel for the Petitioner:SMT.SATWATH RANA

Counsel for the Respondent Nos.1 and 2: SMT.P.RAJANI

The Court at the admission stage made the following Order:

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.21522 OF 2004

ORDER:

The petitioner was appointed as a Conductor in the respondent-Corporation on 02.02.1984. A charge memo dated 09.08.2004 was issued to the petitioner alleging certain cash and ticket irregularities, basing on which, the first respondent issued the charge sheet dated 01.09.2004 framing charges against him. In order to submit detailed explanation, petitioner sought for supply of certain documents and made a representation dated 09.10.2004 to the first respondent. The first respondent instead of furnishing the relevant documents referred the case to the second respondent to conduct detailed enquiry through his letter dated 26.10.2004. Hence, the petitioner has come up with the present writ petition.

Heard both sides and perused the order under challenge.

The petitioner is entitled for the documents, which are basis for submitting his explanation, when he is facing departmental enquiry with regard to charges levelled against him and if the documents referred to in the representation dated 09.10.2004 are having any bearing on the departmental enquiry, the respondents shall furnish those documents to the petitioner.

Accordingly, the writ petition is allowed directing the respondents to take steps to furnish copies of the relevant documents, which are pending with the enquiry officer, within a period of three weeks from the date of receipt of a copy of this order and thereafter, the petitioner shall submit his explanation on the charges levelled against him. No costs.

24.11.2004

usd

To

1 The Depot Manager, APSRTC, Godavarikhani Depot,
Karimnagar District.
2 The Assistant Manager (T) (Enquiries), APSRTC R.M's Office, Karimnagar.

3. Two CD copies